

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

RETIREMENT COMMITTEE OF DAK)
AMERICAS, LLC, as Plan Administrator of)
the DAK Americas LLC Pension Plan and)
TRANSAMERICA RETIREMENT SOLUTIONS)
CORPORATION,)

Plaintiffs,)

v.)

AMENDED JUDGMENT

No. 7:14-CV-36-FL

RODNEY B. SMITH; OTELLA IRENE WEBB;)
JEROME BRYANT; MARK STEPHEN)
BREWER; JOSEPH ALEXANDER BELLAMY;)
WARREN ALBERT GARRISON; JIMMIE RAY)
SELLERS; KELVIN L. GALLOWAY;)
MENDELL W. SMITH; DAVID W. ALLEN;)
SIDNEY HUGH RHODES; MICHAEL LYNN)
BASS; JAMES F. HOLLAND; WILLIAM)
LACEY NELSON; and HAROLD E. CORBETT,)

Defendants.)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge.

IT IS ORDERED, ADJUDGED AND DECREED, in accordance with the court's orders entered September 29, 2015 and May 9, 2016, and for the reasons set forth more specifically therein, that:

- Plaintiffs' first motion for summary judgment is granted in part and denied in part as moot;
- Plaintiffs' second motion for summary judgment is granted;
- Defendants' motions for summary judgment are denied;
- Plaintiffs' motion to amend judgment is granted in part and denied in part;
- Defendants' request for certain post-judgment relief, construed as a motion, is denied;
- Plaintiffs' motion for attorney's fees is denied; and,
- Plaintiffs' motion for costs and defendants' motion for disallowance of costs are granted in part and denied in part.

Accordingly, the following defendants must pay to **the DAK Americas LLC** the amended judgment amounts specified below, which include prejudgment interest. Postjudgment interest is due on such amounts, per 28 U.S.C. § 1961(a), from the date of the original judgment, September 29, 2015, to the date of satisfaction of the judgment.

Defendant	Amended Judgment Amount
Mark Stephen Brewer	\$171,546.71
Harold E. Corbett	\$99,821.83
Warren Albert Garrison	\$217,102.70
James F. Holland	\$158,031.96
William Lacey Nelson	\$59,269.76
Sidney Hughes Rhodes	\$194,281.26
Jimmie Ray Sellers	\$143,226.47
Rodney B. Smith	\$192,359.25
Total	\$1,235,642.43

Furthermore, where the court allows in part plaintiffs' request for costs, costs are TAXED according to the following table:

Defendant	Costs Taxed
David W. Allen	\$258.08
Michael Lynn Bass	\$1083.09
Joseph Alexander Bellamy	\$558.08
Jerome Bryant	\$258.09
Kelvin L. Galloway	\$258.09
Mendell W. Smith	\$258.08
Otella Irene Webb	\$258.09
Mark Stephen Brewer	\$558.08
Harold E. Corbett	\$258.09

Warren Albert Garrison	\$258.08
James F. Holland	\$258.08
William Lacey Nelson	\$258.09
Sidney Hugh Rhodes	\$558.08
Jimmie Ray Sellers	\$258.09
Rodney B. Smith	\$258.09
Total	\$5,596.28

This Judgment Filed and Entered on May 9, 2016, and Copies To:

Marianne Hogan; Sarah Dees Miranda; William J. Delany; James Scott Flowers; William Cory Reiss; H. Mitchell Baker, III; Michael L. Miller; Thomas S. Babel; H. Scott Overholt; and Michael S. Davenport (via CM/ECF Notice of Electronic Filing)

May 9, 2016

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk